

REMARKS

Claims 1-6 are pending in this application. All of the pending claims were rejected.

Claims 1-4 and 6 are currently amended. Reconsideration is respectfully requested.

The newly added claim limitations distinguish the cited references because the access point selects the bid message collected from the station that will realize the greatest increase in data rate by becoming associated with the access point. As taught in the specification at page 41, “the bid message contains value [viz., biased distance delta] of the difference between the biased distance from the STA 16 to the destination AP 12 and the biased distance to the STA 16’s current AP.” As indicated at page 52, the biased distance “takes into account the available data rate as well as the loads on the APs.” One particular technique for calculating biased distance is described in “4.c.2 Biased distance calculation,” beginning at page 55. As indicated at page 42, “the AP 12 selects the bid entries with the highest biased distance delta values,” i.e., the stations that will have the greatest increase in data rate by migrating to the new AP. Claim 1 therefore distinguishes the cited references by reciting “selecting the bid message collected from the station that will realize a greatest increase in data rate by becoming associated with the access point.” Similarly, claim 6 distinguishes the cited references by reciting “selecting only a subset of the bid messages, based at least in-part on the at least one parameter, such that the selected bid messages are from the station or stations that will realize a greatest increase in data rate by becoming associated with the access point.”

The Office previously asserted with regard to claim 3 that Karaoguz inherently has loading information by virtue of the identity information described in paragraph 0024. Applicant respectfully traverses. The identity information is the identity of the APs, not an indication of which STAs are associated with which APs. Further, even if Karaoguz has information

sufficient for use in calculating loading, there is no suggestion in Karaoguz that the information be used in that manner. The Office also suggests that the motivation would be to provide an optimized configuration for increased efficiency and reduced costs. Applicant respectfully traverses. Products can be “optimized” to achieve various goals, only two of which are efficiency and reduced costs. In fact, efficiency and reduced costs may be competing goals such that it is impractical to simultaneously maximize both goals. In any event, assuming Karaoguz teaches that the motivation should be efficiency and reduced costs, the claimed goal of selecting the bid message collected from the station that will realize the greatest increase in data rate by becoming associated with the access point is neither guaranteed to be the most efficient nor the most cost effective result.

For the reasons discussed above, and in view of the claim amendments, this application is now considered to be in condition for allowance and such action is earnestly solicited. The Examiner is encouraged to contact Applicants' Attorney at the number listed below to discuss any matters which might expedite prosecution of this application.

Respectfully Submitted,

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Date

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